

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**SHAUNNA BRILES, on behalf of
herself and all others similarly
situated,**

Plaintiff,

V.

**TIBURON FINANCIAL, LLC, a
Nebraska Limited Liability Company,
SIGNATURE PERFORMANCE
TIBURON, LLC, a Nebraska Limited
Liability Company, and CADA,
CADA, HOFFMAN & JEWSON, a
Partnership,**

Defendants.

8:15CV241

ORDER

This case was filed on July 1, 2015. ([Filing 1.](#)) Defendants have yet to file an answer to the Complaint.

On August 11, 2015, Plaintiff filed a motion for class certification and stay of briefing. ([Filing 18.](#)) Plaintiff claims that she filed this motion at this early stage of the case to avoid any attempt by Defendants to “pick off” Plaintiff with an offer of judgment. Plaintiff maintains that some courts have found that an offer of judgment renders a case moot when the plaintiff has not moved for class certification at the time the offer of judgment is made. Plaintiff asserts that the Eighth Circuit has not directly addressed this issue.

Therefore, out of an abundance of caution, Plaintiff’s request that briefing be stayed will be granted. Plaintiff’s motion for class certification will be held in abeyance pending further development of the case. Plaintiff’s motion will, however, be terminated for statistical purposes, and the motion may be renewed by Plaintiff at a later date. At that time, a briefing schedule will be established in accordance with the rules of this Court.

Accordingly,

IT IS ORDERED that Plaintiff's Motion for Class Certification shall be held in abeyance pending further development of the record in this case. The motion shall be terminated by the Clerk of Court for statistical purposes, and Plaintiff may renew the motion at a later date in order to establish a briefing schedule.

DATED August 18, 2015.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**